

Enclosure B

COUNTY RESPONSE COVER PAGE-MUST BE FULLY COMPLETED AND SUBMITTED WITH PLAN AND DATA

Lassen County is requesting participation in the Enhanced Anti-Fraud Program and will submit a Plan and Data as described above by November 1, 2009.

Board of Supervisor Approval

email = (Julie Bustamante, clerk)
1clerk@co.lassen.ca.us

Approved on November 17, 2009 by the Lassen County Board of Supervisors

Name of Approver: R. Craig Settlemyre, Acting County Administrative Officer

Signature: 

Name of County District Attorney Representative: Denise Stelzer

County District Attorney Representative Telephone #: (530) 251-8284

✓ Email Address: DStelzer@co.lassen.ca.us

Name of County Welfare Department Representative: Tamara Chandler

County Welfare Department Representative Telephone # (530) 251-8158

✓ Email Address: TChandler@co.lassen.ca.us

Lassen County Fraud Investigations and Program Integrity Plan

Lassen County has actively investigated reports of fraud in the In-Home Supportive Services (IHSS) program since 2003. Changes and clarification in regulations and eligibility requirements have improved the County's ability to successfully investigate IHSS fraud. The following plan incorporates improvements to address the prevention, detection, mitigation, investigation, and prosecution of IHSS fraud in Lassen County.

IHSS Overpayment/Underpayments

The Lassen County Quality Assurance (QA) Unit will monitor the occurrences of overpayments and underpayments. Overpayments and underpayments are identified through IHSS case reviews by IHSS and IHSS Quality Assurance, notification from recipients and providers, and suspected fraud investigations. Evaluation of the tracked information will be used by IHSS and QA management to assess staff training and recipient/provider educational needs and guide Lassen County IHSS policy and procedure to reduce the occurrence of overpayments and underpayments. The information will also assist in the detection of possible fraudulent activities.

The resolution of underpayments is the responsibility of the In-Home Supportive Services department. Details of the transactions will be provided to the Quality Assurance Unit for tracking and reporting purposes.

Collections of overpayments will be handled through Lassen County's Health and Social Services (HSS) Collections Unit. The unit currently conducts collection activities for Lassen County's social services programs including repayments ordered by the courts. The HSS Collections Unit will work with IHSS and HSS fiscal to coordinate repayment processing activities. Details of the transactions will be provided to the Quality Assurance Unit for tracking and reporting purposes.

Fraud Referrals/Outcomes

After completion of the initial investigation, the IHSS Quality Assurance unit will determine if a fraud referral will be forwarded to the California Department of Health Care Services (CDHCS) or if it is appropriate to continue with a local investigation. Following State guidelines certain fraud reports will automatically be referred to CDHCS to evaluate and determine the need for a CDHCS investigation, CDHCS and County joint investigation, or continued County investigation. Outcomes of all local investigations will be reported to CDHCS and the California Department of Social Services (CDSS) as directed by CDHCS and CDSS rules and regulations.

Collaboration and Partnerships with District Attorney's Office

The Lassen County District Attorney's office currently evaluates and prosecutes IHSS fraud cases. In support of the County's efforts to prevent, detect, investigate and prosecute IHSS fraud the District Attorney's office will in addition to current activities provide case details to IHSS Quality Assurance for tracking and evaluation purposes,

assist Lassen County IHSS in developing informational material for recipients and providers regarding IHSS fraud, and advise IHSS and fraud investigation staff on evidence and case documentation to promote successful prosecution of IHSS fraud cases.

Collaboration and Partnerships with the California Department of Health Care and the California Department of Social Services

Quality Assurance will evaluate each fraud report and after the initial investigation will determine using state guidelines if the case should be forwarded to the State for further investigation or if the report is appropriate for continued local investigation. Outcomes of local investigations and prosecutions will be reported to the State. Information on IHSS Providers convicted of fraud will also be reported to CDHCS for consideration for placement on the Suspended and Ineligible (S&I) Provider List.

Lassen County will follow guidelines and program requirements established by CDSS. Lassen County will also participate in trainings, meetings, surveys, annual reports and other forms of information exchange as directed to assist CDSS in the monitoring and development of the IHSS program and to support anti-fraud and program integrity efforts.

Mechanism for Tracking and Reporting

Lassen County will use an electronic tracking system to record and report outcomes of anti-fraud efforts including overpayment and underpayment details to CDSS. The final data report for SFY 2009-2010 will be submitted by August 1, 2010 and a report will be submitted by August 1 each year thereafter. Tracking and reporting of data and outcomes will be the responsibility of the IHSS Quality Assurance Unit. Fraud investigation and outcome information will be tracked as described in the next section.

Lassen County will submit an updated plan each year by June 1 to include any changes to the previous year's plan and to agree to continue to track, report, and submit final data to CDSS by August 1 for the previous fiscal year.

County's Current and Proposed Anti- Fraud Activities

The majority of Lassen County's fraud investigations are initiated by reports made by Adult Services staff (Adult Protective Services, IHSS, and the IHSS Public Authority). Various county and non-county agencies, Quality Assurance staff, and community members also provide reports of possible fraud in the IHSS program.

IHSS Fraud reports are accepted by Adult Services staff and Quality Assurance staff. Fraud reports received are forwarded to the IHSS Quality Assurance Social Worker for the initial investigation. In the initial investigation, information is gathered; contacts are made with the parties involved; and an Initial Investigation Report is completed.

Currently an Initial Investigation Report recommending further investigation is forwarded to the County Fraud Investigator.. Lassen County IHSS contracts with the Lassen County Sheriff's Department to conduct/complete fraud investigations and prepare the cases for the District Attorney.

If after the completion of County Fraud Investigator's inquiry there is found to be sufficient evidence of fraud, the case is referred to the District Attorney. The District Attorney evaluates the case for prosecution.

In this plan a step will be added regarding the referral of certain cases to CDHCS for coordination of investigation and prosecution efforts.

A cooperative working relationship between Lassen County agencies and the staff's familiarity of the local communities and their members strengthens Lassen County's ability to identify and successfully investigate possible fraud activity.

In addition to current fraud related QA activities, IHSS Quality Assurance will track and report outcomes to CDSS and CDHCS. The tracking of a fraud referral from intake to final disposition will be formal and comprehensive. Tracking the fraud referral will be the responsibility of Quality Assurance staff.

Fraud referral information tracked by QA will include the following:

- Date of Intake
- Date received by QA
- Source of referral
- Type of fraud
- Perpetrator (Recipient, Provider, Both, Staff, other)
- Disposition of initial investigation
- Date forwarded to Fraud Investigator
- Decision on Referral to DA
- Date referred to DA
- Accepted or Rejected by DA
- Case Disposition
- Basis of Conviction
- Amount of funds involved in conviction
- Court ordered restitution
- Amount and details of funds recovered

The County Fraud Investigator will provide a monthly written status report to QA on current investigations. The report will include number of referrals received in the previous month, status of each referral/case (under investigation, closed-unfounded or inconclusive, date referred to DA, other), District Attorney notices with dates of acceptance or rejection of referred cases.

The District Attorney's office will notify the Fraud Investigator of their acceptance or rejection of referred cases. The District Attorney's office will also provide information detailing the disposition of the case to Quality Assurance following the conclusion of the court process.

To further the reduction of IHSS fraud in Lassen County an Early Fraud Detection component will be introduced into the county's IHSS program.

The Early Fraud Detection component will consist of a visit to the home of the recipient conducted by the County Fraud Investigator following the County's approval of the

recipient's IHSS application. The Fraud Investigator will verify the IHSS recipient's non-medical information such as identity, living arrangements, and number of people in the home, and provide the recipient with information on the recipient's reporting responsibilities and how the recipient can avoid fraud. The need for further investigation of a recipient or situation will be assessed by the Fraud Investigator and reported to Quality Assurance.

Lassen County's use of an early fraud detection component in other social services programs has proven to be an essential element in a successful plan for welfare fraud control.

County Proposed Budget for Utilization of Funds

The Anti-Fraud Planning Allocation of \$23,775 will be included in the Lassen County Protective Services budget. The funds will be expended through the Professional and Specialized Services line item. Lassen County currently has an existing contract with the Sheriff Department that will be amended to reflect the expected increase in the number of fraud investigations and the Plan's addition of the Early Fraud Detection component. \$22,320 will be allocated to the Sheriff's Department for the additional 310 hours of anti-fraud activities defined in the amended contract. Funds in the amount of \$1,455 will be allocated for IHSS QA Administrative Support costs to assist the QA unit in meeting the tracking and evaluation requirements of Lassen County's plan.

Description of how the County will Integrate Other Program Integrity Efforts within the Plan

Current IHSS and QA IHSS case reviews of recipient assessments and provider information aid in identifying overpayments and underpayments, potential fraud situations, and the need for staff training and consumer/provider education. QA will continue to use data evaluation/data match information including Death Match Reports, Over 300-Hours Report, Out of State Payments report, and CMIPS Ad Hoc reports as means to identify potential fraud.

Lassen County currently monitors daily the Lassen County Adult Detention Facility inmate list to identify incarcerated IHSS recipients and providers to evaluate the need for their placement on leave status or termination and to compare their incarceration dates to submitted timesheets.

The new requirements for fingerprinting and Department of Justice (DOJ) criminal background check with subsequent arrest notification will provide additional arrest information and prompt inquiry regarding periods of recipient and provider incarcerations outside of Lassen County as well as provide information on disqualifying convictions relating to providers.

Lassen County IHSS has been approved by the Department of Justice to receive California state summary criminal history information on providers of non-medical in-home care services for aged or disabled adults. Lassen County IHSS is awaiting assignment of an Offender Record Information Number and Mail Code to begin the fingerprinting and criminal background check process. Lassen County is familiar with the fingerprinting and DOJ criminal background check processes as these are current provider applicant requirements for the Lassen County Public Authority Provider Registry.

Lassen County has created a log sheet to track the completion of the new enrollment requirements for both current and potential providers. Provider information is currently kept in a file separate from the recipient file.

Provider files will be reviewed by IHSS and QA for completeness and accuracy to insure that all current providers have met the enrollment requirements prior to July 1, 2009. The scheduling of appointments for current providers to begin the enrollment process will start November 2, 2009. Orientation for current providers will begin in December 2009.

The completion of enrollment requirements for potential providers will also be monitored by IHSS and QA. All provider enrollments will require file review and approval by the IHSS supervisor to establish eligibility.

Lassen County IHSS and QA currently conducts home visits in response to concerns regarding a recipient's unmet needs or authorized services not being provided as reported or if there is a indication of possible fraudulent activity. These contacts will be continued as unannounced home visits made by QA staff. Letters may also be sent by the county to the recipient and/or provider regarding these concerns.

Notices have already been sent to current Lassen County IHSS providers pertaining to the provider's use of a post office box along with request for an exception form. Lassen County currently requires all providers to provide a both a mailing and physical address at the time of enrollment and updates as the information changes. This is due to the fact that the use of a post office box is the only method of mail delivery in many areas of the county. Lassen County's requirement of this information insured in most cases that face to face contact information was available in the event of a fraud or elder/dependent adult/child abuse report. The information has been used in the investigation of fraud reports regarding the delivery of services and/or the number of people living in the recipient's home.

Annual Outcomes Report

Lassen County's IHSS Quality Assurance Unit will provide an annual outcomes report to CDSS by August 1 of each year, identifying activities, data and outcomes associated with the county's efforts to mitigate, prevent, detect, investigate and prosecute IHSS fraud during the previous year.

Enclosure D

County: Lassen

Overpayments and related details were not adequately documented in previous years and existing information regarding the overpayments is not readily available. There were two instances of overpayments determined by fraud convictions in the last five years.

Underpayments were resolved by the IHSS department but only dates and the number of instances were recorded. The replacement of lost or stolen checks, payment for an increase in authorized hours, emergency payments made due to incorrect timesheet data entry, payment of claims for hours worked not initially reported by provider or recipient, and reimbursements resulting from a share of cost correction are included in the count.

To correct the tracking difficulties of the past, the utilization of an effective system of reporting and documentation of overpayments/underpayments, District Attorney Involvement, and fraud referrals/outcomes is emphasized in Lassen County's Fraud Investigation and Program Integrity Plan.

Overpayments Identified by County QA		04/05	05/06	06/07	07/08	08/09
Total Amount per fiscal Year:		0	*	0	0	*
	Number of Instances:	0	1	0	0	1
	Provider:	0	1	0	0	1
	Recipient:	0	0	0	0	0
	County Error:	0	0	0	0	0
	Unknown:	0	0	0	0	0
	Other	0	0	0	0	0

Underpayments Identified by County QA		04/05	05/06	06/07	07/08	08/09
Total Amount per fiscal Year:		0	0	0	0	0
	Number of Instances:	80	61	49	63	47
	Provider:	0	0	0	0	0
	Recipient:	0	0	0	0	0
	County Error:	0	0	0	0	0
	Unknown:	0	0	0	0	0
	Other	0	0	0	0	0

Fraud Referrals/Outcomes		04/05	05/06	06/07	07/08	08/09
Number of Referral to DHCS:		0	0	0	0	0
Number handled locally by DA:		0	1	2	0	7
Number of convictions:		0	1	1	0	2
Court Ordered Restitution:		0	1	*	0	1
Amount of funds involved in the convictions:		0	*	*	0	*
Amount of funds recovered:		0	*	*	0	*
Amount of funds pending recovery:		0	*	*	0	*
Basis for conviction:		NA	*	*	NA	*
	Recipient:	NA	0	0	NA	0
	Provider:	NA	1	1	NA	2
	County Staff:	NA	0	0	NA	0
	Other:	NA	0	0	NA	0
	Unknown:	NA	0	0	NA	0

* Information unavailable

Enclosure D**Page Two**

Utilization of DA for Fraud		04/05	05/06	06/07	07/08	08/09
O U T C O M E S	Documented Referrals to DA	0	1	2	0	7
	Accepted:	0	1	2	0	2
	Rejected:	0	0	0	0	1
	Pending:	0	0	0	0	4
	Completed Investigations					
	No Fraud:	0	0	0	0	0
	Restitution Action:	0	0	0	0	0
	Referred for Prosecution:	0	0	2	0	2
	Criminal Charges Filed:	0	0	2	0	2
	No Charges Filed:	0	0	0	0	0
	Convictions:	0	1	1	0	2
	Acquittals:	0	0	0	0	0
	Dismissals:	0	0	1	0	0
	Pending Investigation:	0	0	0	0	0
	Restitution					
	Court Ordered:	0	1	*	0	1
	Restitution Action:					
	Fines:	0	*	*	0	*
	Prosecutions Complete:	0	*	*	0	*
	Convictions:	0	*	*	0	*
	Misdemeanor:	NA	*	*	NA	*
	Felony:					
Number of Fraud Referrals Investigated by the Lassen County Fraud Investigator and/or IHSS/QA staff		1	3	15	2	23

* Information unavailable

Budget Justification
Lassen County's Fraud Funding Plan for FY 2009-10

Budget Section	Total
A. Personnel Costs (includes employee benefits)	\$
B. Operating Expenses	\$
C. Equipment Expenses	\$
D. Travel/Per Diem and Training	\$
E. Subcontracts and Consultants	\$ 23,775
F. Other Costs	\$
G. Indirect Expenses	\$
Total Expenses	\$ 23,775

A. Personnel Costs (including employee benefits)	Total Budget
Title: Salary Calculation: Duties Description:	\$
Title: Salary Calculation: Duties Description:	\$
Title: Salary Calculation: Duties Description:	\$
Title: Salary Calculation: Duties Description:	\$
Title: Salary Calculation: Duties Description:	\$
Title: Salary Calculation: Duties Description:	\$
Total Personnel Costs:	\$

B. Operating Expenses	Total Budget
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Total Operating Expenses:	\$

C. Equipment Expenses	Total Budget
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Total Equipment Expenses:	\$

D. Travel/Per Diem and Training	Total Budget
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Total Travel/Per Diem and Training:	\$

E. Subcontracts and Consultants	Total Budget
Title: Lassen County Sheriff Department Description: These funds will be utilized by the expected increase in the number of fraud investigations and the Plan's addition of the Early Fraud Detection component. For the additional 310 hours of anti-fraud activities	\$ 22,320
Title: Lassen Community College Description: These funds will pay for an IHSS QA Administrative Support Intern to assist the QA unit in meeting the tracking and evaluation requirements of Lassen County's plan.	\$ 1,455
Title: Description:	\$
Total Subcontracts and Consultants:	\$ 23,775

F. Other Costs	Total Budget
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Title: Description:	\$
Total Other Costs:	\$

G. Indirect Expenses	Total Budget
Title: Description:	\$
Title: Description:	\$
Total Other Costs:	\$